

PATENT
Customer No. 22,852
Attorney Docket No. 08442.0002-04000

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:)
Joseph C. CAUTHEN) Group Art Unit: 3738
Application No.: 10/085,040) Examiner: David J. Isabella
Filed: March 1, 2002) Confirmation No.: 8078
For: INTERVERTEBRAL DISC)
ANNULUS STENT)

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

NOTICE OF APPEAL UNDER 37 C.F.R. § 41.31

Applicants appeal to the Board of Patent Appeals and Interferences from the
Examiner's decision mailed July 6, 2006.

The item(s) checked below are appropriate:

1. A Petition for extension of time to respond to the final rejection was filed on {date} extending the period for response to {date}.
2. A Petition for extension of time to extend the period for response to January 6, 2007, is enclosed together with an authorization to charge Deposit Account No. 06-0916.
3. The Appeal Fee of \$500.00 is enclosed or is to be charged to Deposit Account No. 06-0916.
- A pre-appeal brief conference is requested. The request and supporting documentation are attached.

Please grant any extensions of time required to enter this response and charge
any additional required fees to our deposit account 06-0916.

Respectfully submitted,

FINNEGAN, HENDERSON, FARABOW,
GARRETT & DUNNER, L.L.P.



By:

Eric P. Raciti
Reg. No. 41,475

Date: January 8, 2007

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